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## FACSIMILE COVER SHEET

**Date:** February 6, 2006**To Examiner:** QIAN, CELINE X.  
Group 1636**From:** Carolyn S. Elmore, Esq.  
Registration No. 37,567**Fax Number:** (571) 273-8300**Subject:** **Paper:** Power of Attorney and Correspondence Address Indication  
Form with Statement under 3.73(b)**Docket No.:** 4016.3004 US1**Applicants:** Frances Lousia Titus, *et al.***Serial No.:** 10/806,915**Filing Date:** March 23, 2004**Number of pages including this cover sheet** 6**Please confirm receipt of facsimile:** Yes X No \_\_\_\_\_**Comments:**

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PTO/SB/81 (11-04)

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/806,915
Filing Date	March 23, 2004
First Named Inventor	Francis Louise Titus
Title	Intracellular Delivery of ...
Art Unit	1636
Examiner Name	Celine X. Qian
Attorney Docket Number	4016.3004 US1

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

000038473

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

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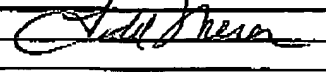
Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Signature		Todd Sherer, Ph.D.	Date	1.26.06
Name		Assistant Vice President for Research and Director	Telephone	
Title and Company		Office of Technology Transfer		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Docket No. 4016.3004 US1 (formerly 2699732.002149)

STATEMENT UNDER 37 C.F.R. § 3.73(b)Applicants: Francis Louisa Titus, Jeffrey C. Marx, Scott D. Boden, Sangwook T. (Tim) Yoon, and Susan DrapeauApplication No.: 10/806,915 Filed: March 23, 2004For: Intracellular Delivery of Osteoinductive Proteins and PeptidesEmory University a university  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☐ the assignee of the entire right, title and interest in the patent application identified above; or
- B. ☒ an assignee together with **SDGI Holdings, Inc.** of the entire right, title and interest in the patent application identified above.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: Francis Louisa Titus, Scott D. Boden and Sangwook T. Yoon To: Emory University  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
2. From: Susan Drapeau To: SDGI Holdings, Inc.  
The document was recorded in the Patent and Trademark Office at  
Reel 016978, Frame 0204-0206, or a copy thereof is attached.
3. From: Medtronic Sofamor Danek To: SDGI Holdings, Inc.  
The document was recorded in the Patent and Trademark Office at  
Reel 016978, Frame 0226-0228, or a copy thereof is attached.
4. From: Jeffrey C. Marx To: Medtronic Sofamor Danek  
The document was recorded in the Patent and Trademark Office at  
Reel 015461, Frame 0254-0255, or a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 1-26-06  
Name: Todd Sherer, Ph.D.  
Assistant Vice President for Research  
and Director  
Title: Office of Technology Transfer  
Signature: Todd Sherer

Docket No. 4016.3004 US1

ASSIGNMENT

COPY

WHEREAS, we, Frances Louisa Titus, Scott D. Boden and Sangwook T. Yoon, together with co-inventors Jeffrey C. Marx and Susan Drapeau, have invented a certain improvement in **INTRACELLULAR DELIVERY OF OSTEOINDUCTIVE PROTEINS AND PEPTIDES** described in an application for Letters Patent of the United States, the specification of which:

- ☐ is being executed on even date herewith and is about to be filed in the United States Patent Office;
- ☒ was filed on March 23, 2004 as Application No. 10/806,915;
- ☐ was patented under U.S. Patent No. [ ] on [ ].

WHEREAS, Emory University (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the State of Georgia, and having a usual place of business at 1380 South Oxford Road, Atlanta, Georgia 30322 desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

Docket No. 4016.3004 US1

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AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor: Frances Louisa Titus  
Frances Louisa Titus

State/Commonwealth

of Georgia

County of DeKalb

On this 27 day of November, 2005, before me, the undersigned notary public, personally appeared Frances Louisa Titus proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged that he/she executed the foregoing instrument as his/her free act and deed.

Notary Public

(SEAL)

Jennifer Moore-Simpson (print name)

My Commission expires 04 / 11 / 06

JENNIFER MOORE-SIMPSON  
Notary Public, DeKalb County, Georgia  
My Commission Expires April 11, 2006

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Inventor: Scott D. Boden

Scott D. Boden

State/Commonwealth

of GeorgiaCounty of DeKalb

On this 1<sup>st</sup> day of November, 2005, before me, the undersigned notary public, personally appeared **Scott D. Boden** proved to me through satisfactory evidence of identification, which were known individual, to be the person whose name is signed on the preceding or attached document, and acknowledged that he/she executed the foregoing instrument as his/her free act and deed.

(SEAL)

Judy Clower

Notary Public

Judy Clower (print name)

My Commission expires Notary Public, Gwinnett County, Georgia  
My Commission Expires June 12, 2008

Inventor: Sangwook T. Yoon

Sangwook T. Yoon

State/Commonwealth

of GeorgiaCounty of DeKalb

On this 1<sup>st</sup> day of November, 2005, before me, the undersigned notary public, personally appeared **Sangwook T. Yoon** proved to me through satisfactory evidence of identification, which were known individual, to be the person whose name is signed on the preceding or attached document, and acknowledged that he/she executed the foregoing instrument as his/her free act and deed.

(SEAL)

Judy Clower

Notary Public

(print name)

My Commission expires Notary Public, Gwinnett County, Georgia  
My Commission Expires June 12, 2008